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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 ROBERT P. VARIAN (State Bar No. 107459)  
 2 REBECCA F. LUBENS (State Bar No. 240683)  
 3 ORRICK, HERRINGTON & SUTCLIFFE LLP  
 The Orrick Building  
 405 Howard Street  
 4 San Francisco, California 94105-2669  
 Telephone: (415) 773-5700  
 Facsimile: (415) 773-5759  
 5 Emails: rvarian@orrick.com  
 rlubens@orrick.com

6 MICHAEL C. TU (State Bar No. 186793)  
 7 TEODORA E. MANOLOVA (State Bar No. 233333)  
 8 ORRICK, HERRINGTON & SUTCLIFFE LLP  
 777 South Figueroa Street, Suite 3200  
 Los Angeles, California 90017-5855  
 9 Telephone: (213) 629-2020  
 Facsimile: (213) 612-2499  
 10 Emails: mtu@orrick.com  
 tmanolova@orrick.com

11 Attorneys for Defendants  
 12 Morgan Stanley & Co. Incorporated, Merrill Lynch, Pierce,  
 Fenner & Smith Incorporated, Jefferies & Company, Inc.,  
 13 Cowen and Company, LLC and ThinkEquity Partners LLC

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15 **UNITED STATES DISTRICT COURT**  
 16 **NORTHERN DISTRICT OF CALIFORNIA**

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18 BIKASH MOHAN MOHANTY, On Behalf of  
 19 Himself and All Others Similarly Situated,

20

Plaintiff,

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v.

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AMIR BASSAN-EZKENAZI, RAN OZ,  
 23 FREDERICK BALL, GAL ISRAELY, DEAN  
 GILBERT, KEN GOLDMAN, LLOYD  
 CARNEY, BRUCE SACHS, ROBERT SACHS,  
 24 GEOFFREY YANG, MORGAN STANLEY &  
 CO. INC., MERRILL LYNCH, PIERCE,  
 FENNER & SMITH, INC., JEFFERIES & CO.,  
 25 INC., COWEN AND CO., INC., THINKEQUITY  
 PARTNERS LLC and BIGBAND  
 26 NETWORKS, INC.

27

Defendants.

28

OHS West:260363298.1

## 1 STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

2 I am employed in the County of San Francisco, State of California. I am over the age of  
 3 18 years and not a party to the within action. My business address is Orrick, Herrington &  
 4 Sutcliffe LLP, The Orrick Building, 405 Howard Street, San Francisco, California 94105-2669

5 On January 4, 2008, I served the foregoing documents described as:

- 6 **(1) APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE**  
 7 **(2) [PROPOSED] ORDER GRANTING APPLICATION FOR ADMISSION OF**  
**ATTORNEY PRO HAC VICE**  
**(3) PROOF OF SERVICE**

8 on the parties to this action by placing a true copy thereof enclosed in sealed envelopes addressed  
 9 as follows:

<p>10 Keith E. Eggleton    Rodney G. Strickland    Jonie Ostler    11 WILSON SONSINI GOODRICH &amp; ROSATI    Professional Corporation    650 Page Mill Road    12 Palo Alto, CA 94304-1050</p> <p>13 <i>Counsel Defendants BigBand Networks, Inc.,    14 Amir Bassan-Eskanazi, Ran Oz, Frederick A.    Ball, Gal Israely, Dean Gilbert, Kenneth E.    15 Goldman, Lloyd Carney, Bruce I. Sachs, Robert    J. Sachs, and Geoffrey Y. Yang</i></p>	<p>16 Reed R. Kathrein    HAGENS BERMAN SOBOL SHAPIR LLP    715 Hearst Avenue, Suite 2092    Berkeley, CA 94710</p> <p>17 <i>Counsel for Plaintiff Bikash Mohan Mohanty</i></p>
<p>18 Steve Berman    HAGENS BERMAN SOBOL SHAPIRO LLP    1301 Fifth Avenue, Suite 2900    Seattle, WA 98101</p> <p>19 <i>Counsel for Plaintiff Bikash Mohan Mohanty</i></p>	<p>20 Lewis Kahn    KAHN GAUTHER SWICK LLC    650 Poydras Street – Suite 2150    New Orleans, LA 70130</p> <p>21 <i>Additional counsel for Plaintiff Bikash    22 Mohan Mohanty</i></p>
<p>23 Stephen L. Porter    WHITEHEAD &amp; PORTER LLP    220 Montgomery, Suite 1850    San Francisco, CA 94104    Tel.: (415) 781-6070</p> <p>24 <i>Local Counsel for Plaintiff Dennis Koesterer</i></p>	<p>25 Robert C. Finkel    Natalie Mackiel    WOLF POPPER LLP    845 Third Avenue    New York, NY 10022    Tel.: (212) 759-4600    Fax: (212) 486-2093</p> <p>26 <i>Counsel for Plaintiff Dennis Koesterer</i></p>

<p>Alan R. Plutzik  L. Timothy Fisher  SCHIFFRIN BARROWAY TOPAZ  &amp; KESSLER, LLP  2125 Oak Grove Road, Suite 120  Walnut Creek, CA 94598</p> <p><i>Counsel for Plaintiff Abrena Winston</i></p>	<p>Nicholas J. Licato  Arthur L. Shingler  SCOTT + SCOTT LLP  600 B. Street, Suite 1500  San Diego, CA 92101</p> <p><i>Counsel for Plaintiff Donald Smith</i></p>
<p>David R. Scott  SCOTT + SCOTT LLP  108 Norwich Avenue  P.O. Box 192  Colchester, CT 06415</p> <p><i>Counsel for Plaintiff Donald Smith</i></p>	<p>Mark Punzalan  C. P. Bartholomew  FINKELSTEIN THOMPSON LLP  100 Bush Street, Suite 1450  San Francisco, CA 94104</p> <p><i>Counsel for Plaintiff Wayne Luzon</i></p>
<p>Lester R. Hooker  SAXENA WHITE P.A.  2424 N. Federal Highway  Suite 257  Boca Raton, FL 33431</p> <p><i>Counsel for Plaintiff Debra L. Bernstein</i></p>	<p>Laurence D. King  KAPLAN FOX &amp; KILSHEIMER LLP  350 Sansome Street, Suite 400  San Francisco, CA 94104</p> <p><i>Counsel for Plaintiff Eugene L. Hammer</i></p>
<p>Karen H. Riebel  Elizabeth R. Odette  LOCKRIDGE GRINDAL NAUEN, P.L.L.P  100 Washington Avenue, Suite 2200  Minneapolis, MN 55402</p> <p><i>Counsel for Plaintiff Eugene L. Hammer</i></p>	<p>Darren J. Robbins  COUGHLIN STOIA GELLER RUDMAN &amp;  ROBBINS LLP  655 West Broadway, Suite 1900  San Diego, CA 92101-3301</p> <p><i>Counsel for James Wiltjer</i></p>
<p>Jeffrey W. Lawrence  COUGHLIN STOIA GELLER RUDMAN &amp;  ROBBINS LLP  100 Pine Street, Suite 2600  San Francisco, CA 94111</p> <p><i>Counsel for James Wiltjer</i></p>	

- (BY MAIL) I placed the sealed envelope(s) for collection and mailing by following the ordinary business practices of Orrick, Herrington & Sutcliffe LLP, San Francisco, California. I am readily familiar with Orrick, Herrington & Sutcliffe LLP's practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence with postage fully prepaid is deposited with the United States Postal Service the same day as it is placed for collection.
- (BY OVERNIGHT DELIVERY) I placed the sealed envelope(s) or package(s) designated by the express service carrier for collection and overnight delivery by following the ordinary business practices of Orrick, Herrington & Sutcliffe LLP, San Francisco, California. I am readily familiar with Orrick, Herrington & Sutcliffe LLP's practice for collecting and processing of correspondence for overnight delivery, said practice being that, in the ordinary course of business, correspondence for overnight delivery is deposited with delivery fees paid or provided for at the carrier's express service offices for next-day delivery the same day as the correspondence is placed for collection.
- (BY FACSIMILE) I caused to be transmitted by facsimile machine (number of sending facsimile machine is (415) 773-5759) by sending the document(s) to the parties on the attached Service List. The facsimile transmission(s) was reported as complete and without error.

Executed on January 4, 2008, at San Francisco, California.

- (FEDERAL) I declare that I am employed in the office of a member of the bar of this court whose direction the service was made.

  
\_\_\_\_\_  
Bobbi Rubi